

## **REMARKS**

### **Summary of Office Action**

Claims 1, 3-4, 8-9, 11-12, 16-17, 19-20, 24 and 28-36 were pending in the above-identified application.

Claims 1, 3, 8-9, 11, 16-17, 19, 24, and 28-36 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication No. 2004/0163149 ("Gray"). Claims 4, 12, and 20 were rejected under U.S.C. § 103(a) as being obvious from Gray in view of U.S. Patent Publication No. 2002/0184451 ("Dovi").

Applicants respectfully traverse these rejections.

### **Applicants' Response**

The pending claims provide methods, systems and computer program products for using a network of set-top boxes. In Applicants' claimed approach, when a request to record a program is received in a first set-top box, the first set-top box queries the network to determine whether the program is stored in a second set-top box. If it is, the stored program in the second set-top box is accessed by the first set-top box. If the program is not stored in the second set-top box, a storage device in at least one of the first and second set-top boxes is used in response to the recording request.

Applicants' approach has a number of advantages, including avoiding redundant storage of the same program in multiple set-top boxes connected in a network. When a first set-top box receives a recording request for a program, it determines if the program is already stored in a second set-top box. If the program is already stored, the program can be accessed by the first set-top box in response to the recording request.

Gray's resource-sharing techniques fail to provide Applicants' claimed approach, including, among other things, a first set-top box querying a network to determine whether a program is stored in a second set-top box. Instead, if a set-top box with ample internal storage receives a request to record a program, that set-top box will record that program regardless of whether the program was already stored in another set-top box (see, e.g., ¶0030, "If an internal resource is available to enable the set-top box to perform the task, the set-top box performs the task using those internal

resources.") Gray also teaches that, when a set-top box has insufficient storage for downloading an EPG, the set-top box may use storage space available in another set-top box to store the EPG (see, *e.g.*, Gray, ¶¶0030, 0031 and 0034). At no point does a set-top box query another set-top box to determine whether the EPG is already stored, and certainly not when a request to download the EPG is received. Moreover, Gray provides no teaching or suggestion of a set-top box querying another set-top box when a request to record a program has been received. Thus, Gray fails to show or render obvious the methods, systems and computer program products recited in Applicants' pending claims.

Dovi, which was cited by the Examiner in combination with Gray to allegedly show the features of dependent claims 4, 12 and 20, does not make up for the deficiencies of Gray. Accordingly, no combination of Gray and Dovi shows or renders obvious Applicants' pending claims.

For at least the foregoing reasons, Applicants submit that pending claims 1, 3-4, 8-9, 11-12, 16-17, 19-20, 24 and 28-36 are patentable over any combination of Gray and Dovi.

### Conclusion

In light of the above remarks, Applicants respectfully submit that this application is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

Applicants believe no fee is due with this response other than as reflected on the enclosed Transmittal. However, if a fee is due, please charge our Deposit Account No. 06-1075, under Order No. 003597-0449 from which the undersigned is authorized to draw.

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Respectfully submitted,

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